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THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Herbert Howell Waddell
U.S. Serial No. : 09/693,239 Examiner: Robert Pezzuto
Filing Date : October 20, 2000 Group Art Unit: 3671
For : APPARATUS FOR GATHERING, PICKING UP AND
CARRYING LOOSE MATERIALS

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

May 13, 2002

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES IN RESPONSE
TO FEBRUARY 12, 2002 FINAL OFFICE ACTION**

This Notice of Appeal is submitted in response to the February 12, 2002 Final Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A Notice of Appeal in response to the February 12, 2002 Final Office Action is due May 12, 2002. Since May 12, 2002 falls on a Sunday, the deadline for this Notice of Appeal is Monday, May 13, 2002. Accordingly, this Communication is being timely filed.

The required fee for a Notice of Appeal is One Hundred Sixty Dollars (\$160.00). Applicant hereby encloses a check for One Hundred Sixty Dollars (\$160.00) to cover the fee.

No fee other than the \$160.00 fee is deemed necessary in connection with the filing of this Notice of Appeal.

Applicants : Herbert Howell Waddell
U.S. Serial No.: 09/693,239
Filing Date : October 20, 2000
Page : 2

However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Albert Wai-Kit Chan 5/13/02
Albert Wai-Kit Chan Date
Reg. No. 36,479

Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicant
Law Offices of
Albert Wai-Kit Chan
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, New York 11357
Tel: (718) 357-8836
Fax: (718) 357-8615
e-mail: kitchenlaw@aol.com



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PTO/SB/31 (02-01)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 683	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on <u>May 13, 2002</u> .		In re Application of Herbert Howell Waddell	
		Application Number 09/693,239	Filed October 20, 2000
Signature _____ Typed or printed name Albert Wai-Kit Chan		For Apparatus for Gathering, Picking up and Carrying Loose Materials	
		Group Art Unit 3671	Examiner Robert Pezzuto
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ <u>160.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>160.00</u>	
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1891</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant/inventor.		<u>Albert Wai-Kit Chan</u> Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)			
<input type="checkbox"/> attorney or agent of record.		<u>Albert Wai-Kit Chan</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>36,479</u>		<u>May 13, 2002</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			

☒ *Total of 2 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

06/04/2002 TBESHAH1 00000029 09693236

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Adjustment date: 06/05/2002 TBESHAH1

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